

## **EXHIBIT “D”**

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APN #: 125-16-416-030

When recorded, return to:

Akerman LLP  
1635 Village Center Circle, Suite 200  
Las Vegas, Nevada 89134

Inst #: 20201022-0001315  
Fees: \$42.00  
10/22/2020 09:38:35 AM  
Receipt #: 4260785  
Requestor:  
Akerman LLP Las Vegas  
Recorded By: MAYSM Pgs: 2  
Debbie Conway  
CLARK COUNTY RECORDER  
Src: ERECORD  
Ofc: ERECORD

**NOTICE OF RESCISSION OF NOTICE OF  
BREACH AND DEFAULT AND ELECTION TO SELL TO  
CAUSE SALE OF REAL PROPERTY UNDER DEED OF TRUST**

**NOTICE IS HEREBY GIVEN:** CITIMORTGAGE, INC. is the beneficiary of record of a deed of trust dated **March 10, 2006**, executed by **Wayne Berwick and Debra Berwick**, husband and wife as joint tenants, as trustors, to secure certain obligations in favor of **Mortgage Electronic Registration Systems, Inc.**, solely as nominee for **Home Loan Center, Inc. dba LendingTree Loans**, as beneficiary, recorded with the **Clark County, Nevada Recorder** on **March 20, 2006**, as **Instrument No. 20060320-0002449**, describing land therein as more fully described in the above-referenced Deed of Trust.

Said obligations including one Note for the sum of **\$180,000**.

**WHEREAS**, the beneficiary of record under the certain Deed of Trust above described, delivered to the Trustee thereunder written declaration of default and demand for sale; and Whereas, Notice was given of breach of obligations for which said Deed of Trust is security and of election to cause to be sold the property therein described; and Whereas, Notice(s) of Default were recorded as set forth below:

Notice of Breach and Default and Election to Cause Sale of Real Property under Deed of Trust recorded on **October 27, 2010** in the office of the **Clark County, Nevada Recorder**, as **201010270003861**.

**NOW, THEREFORE, NOTICE IS HEREBY GIVEN** that CITIMORTGAGE, INC., as present beneficiary of record, does hereby rescind, cancel, withdraw and revoke without prejudice the acceleration of the Note, or Deed of Trust, or both, as referenced in the Notice of Breach and Default and Election to Cause Sale of Real Property under Deed of Trust listed above. This rescission shall not in any manner be construed as waiving or affecting any breach of default—past, present or future—under said Deed of Trust, or as impairing any right or remedy thereunder, but is, and shall be deemed to be, only an election, without prejudice, not to cause a sale to be made pursuant to said Declaration and Notice, to withdraw and revoke without prejudice the acceleration of the Note, or Deed of Trust, or both, and shall no way jeopardize or impair any right, remedy or privilege secured to the Beneficiary and/or Trustee, under said Deed of Trust, nor modify nor alter in any respect any of the terms, covenants, conditions or obligations thereof, and said Deed of Trust and all obligations secured thereby are hereby reinstated and shall be and remain in force and effect the same as if said Notice of Breach and Default and Election to Cause Sale of Real Property under Deed of Trust had not been made and given. This rescission merely reinstates the obligations secured by the Deed of Trust as though the Notice of Breach and Default and

Election to Cause Sale of Real Property under Deed of Trust listed above had not been previously recorded.

**PLEASE NOTE THIS IS NOT AN ATTEMPT TO COLLECT A DEBT. WAYNE AND DEBRA BERWICK'S BANKRUPTCY DISCHARGED THEM OF ANY PERSONAL LIABILITY ON THE LOAN secured by the above-referenced deed of trust. The purpose of this document is to decelerate the subject loan until such time as the deed of trust beneficiary or its successors or assigns MAY ELECT to foreclose pursuant to the deed of trust.**

IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed this 1941 day of October, 2020.

**CITIMORTGAGE, INC.**

By: 

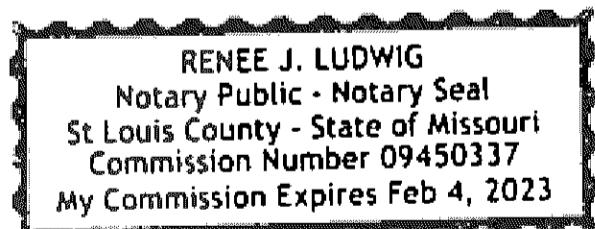
Name: David Hatfield

Title: Vice President

State of Missouri, County of St. Charles

The foregoing instrument was acknowledged before me on October 19, 2020,  
by DAVID HATFIELD (Date)  
(Full Name of Signor)

(Seal)



Renee J. Ludwig  
Notary Public, State of Missouri  
Renee J. Ludwig  
Print or Type Name

My Commission Expires: 2/4/2023

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